

REMARKS

Claims 1-24 remain in the referenced application. The Applicant has provisionally elected without traverse to prosecute the invention of Group I, claims 1-24. Claims 25-36 are canceled. The Applicant has further amended claims 1-7, 10-18, and 21-24. Claims 1 and 15 have been amended to remove the recitation of a valve.

Figure 1 has been objected to as failing to comply with 37 C.F.R. §1.84(p)(5) because it does not include a reference sign for “195.” Applicant has corrected Figure 1 and provided a “replacement sheet” as part of this response. Applicant respectfully asserts that the remaining inconsistencies have been corrected through modifications to the specification, as described herein, and therefore no further drawing corrections are required. Accordingly, Applicant respectfully requests that the objection to the drawings be withdrawn.

Claim 1 stands rejected under 35 U.S.C. §103(a) as being obvious by Poindexter (U.S. Patent Number 5,398,517 - hereinafter referred to as “Poindexter”). The Examiner asserts that Poindexter discloses an apparatus for periodically cleaning a water collection tray of a potable water collection system. Applicant respectfully disagrees. Poindexter discloses a potable water collection coil cleaning apparatus that includes a refrigerant system, a cooling coil 14 for the refrigerant system, a collection tray 20 disposed beneath the cooling coil 14, a hood enclosure 11 disposed around the cooling coil 14 and above the collection tray 20, and a sanitizing system having a spray nozzle 42 disposed within the hood enclosure 11, whereby the spray nozzle 42 sprays sanitizing fluids within the hood enclosure 11 to cleanse the outer surfaces of the cooling coils 14, the inner surfaces of the hood enclosure 11, and the collection tray 20.

In use, Poindexter powers his refrigerant circuit to cool the cooling coils 14, thereby creating condensation on the outside surfaces of the cooling coils 14 and allowing the

condensation to drop to the collection tray 20. As such, Poindexter drops water from the outer surfaces of the cooling coils 14 and into the collection tray 20 for use. Poindexter desires to collect potable water in his collection tray 20, and therefore must ensure that his collection coils 14 remain sanitized for extended periods. Sanitized cooling coils 14 for extended periods are not possible without sanitizing the outer surfaces of the cooling coils 14 through the spraying of the cooling coils 14 with sanitizing fluids. Accordingly, Poindexter places the spray nozzle 42 above the cooling coils 14 to spray sanitizing fluids onto the cooling coils 14. The spraying of sanitizing fluids onto the cooling coils 14 creates problems with over sprays, drips, and the like, and therefore, Poindexter provides the hood enclosure 30 to contain the sprayed sanitizing fluids. Poindexter's hood enclosure 30 encapsulates the cooling coils 14, and sits within the confines of the collection tray 20 (Figure 4), such that the sprayed fluids drain from the enclosure to the collection tray 20. Upon activation, the spray nozzle 42 sprays sanitizing fluids onto the cooling coils 14 and the inner surfaces of the enclosure 30. The fluid then gravitates downward along the inner walls of the enclosure 30 and enters the collection tray 20.

Applicant's invention is drawn to a drip tray sanitizing system that includes a spray manifold disposed within the drip tray. Applicant respectfully asserts that sanitizing fluids are delivered through the spray manifold and to the drip tray in a controlled fashion, thereby creating a predetermined spray pattern complementary to an inner envelope of the drip tray. As such, the location of Applicant's spray manifold in Applicant's invention is of primary importance to sanitizing operations, and accordingly, claim 1 specifically recites, "a spray manifold disposed in a drip tray of a product dispenser." Applicant respectfully asserts that while design solutions for moving the spray manifold outside of the drip tray are possible, they are not optimal, as the envelope directly above the drip tray is typically occupied by drink receptacles and product

valves. If the spray manifold is disposed at a predetermined distance above the drip tray, the spraying of sanitizing fluids into the drip tray from the predetermined distance is not easily accomplished without splashing, and the like.

The Examiner has stated that Applicant's drip tray of a product dispenser may be cleansed with Poindexter's cleansing apparatus. However, to achieve Applicant's invention, Poindexter's spray nozzle must be placed into the drip tray of Applicant's product dispenser. Movement of Poindexter's spray nozzle into the drip tray of Applicant's product dispenser teaches away from Poindexter's disclosure because Poindexter teaches placing his spray nozzle above his cooling coils to spray sanitizing fluid onto his cooling coils. If Poindexter's spray nozzle is positioned within the Applicant's drip tray, then Poindexter will not be able to spray his cooling coils with sanitizing fluid. Unsprayed cooling coils will lead to contamination of the outer surfaces of the cooling coils, the condensate dripping from the cooling coils, Poindexter's drip tray, and the hood enclosure, thereby rendering Poindexter's device inoperable for its intended purpose of creating potable water. As such, Poindexter actually teaches away from placing his spray nozzle into the drip tray. Applicant respectfully asserts that the Examiner's combination of Poindexter and Applicant's invention is improper because the only motivation for placing Poindexter's spray nozzle into Applicant's drip tray is to achieve Applicant's invention, and therefore, is a hindsight reconstruction. Accordingly, Applicant respectfully asserts that claim 1 is patentable over Poindexter, and respectfully requests that the rejection of claim 1 under 35 U.S.C. §103(a) be withdrawn.

Claim 2 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 2 to recite "a controller in electrical communication with the

pump.” Applicant respectfully asserts that the patentability of claim 2 lies with the patentability of claim 1.

Claim 3 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 3 to recite “a valve.” Applicant respectfully asserts that the patentability of claim 3 lies with the patentability of claim 1.

Claim 4 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 4 to recite “a controller in electrical communication with the pump and the valve.” Applicant respectfully asserts that the patentability of claim 4 lies with the patentability of claims 1 and 3.

Claim 5 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 5 to adjust claim dependency. Applicant respectfully asserts that the patentability of claim 5 lies with the patentability of claims 1 and 3.

Claim 6 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 5 to adjust claim dependency. Applicant respectfully asserts that the patentability of claim 6 lies with the patentability of claims 1 and 3.

Claim 7 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 7 for clarification purposes. Applicant respectfully asserts that the patentability of claim 7 lies with the patentability of claim 1.

Claim 10 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 10 to adjust claim dependency. Applicant respectfully asserts that the patentability of claim 10 lies with the patentability of claim 7.

Claim 11 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 11 to recite “a pump switch in electrical communication with the

controller and the pump.” Applicant respectfully asserts that the patentability of claim 11 lies with the patentability of claim 1.

Claim 12 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 12 to recite “a valve switch in electrical communication with the controller and the valve.” Applicant respectfully asserts that the patentability of claim 12 lies with the patentability of claim 3.

Claim 13 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 13 to adjust claim dependency. Applicant respectfully asserts that the patentability of claim 13 lies with the patentability of claim 4.

Claim 14 stands rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter. Applicant has amended claim 14 to adjust claim dependency. Applicant respectfully asserts that the patentability of claim 14 lies with the patentability of claim 2.

Claim 15 stands rejected under U.S.C. §103(a) as being anticipated by Poindexter in combination with Lindner (U.S. Patent No. 3,942,685). The Examiner asserts that Poindexter discloses an apparatus for periodically cleaning a water collection tray of a potable water collection system, but does not disclose the product dispenser as claimed. The Examiner further asserts that Lindner discloses a product dispenser comprising a housing including a controller and a drip tray disposed on the housing. The Examiner still further asserts that Poindexter and Lindner are combinable because the drip trays of the Lindner and Poindexter are functionally equivalent. Applicant respectfully asserts that while the drip trays of Poindexter and Lindner are similar, their systems are markedly different, and therefore problems arise when the two are combined.

The Examiner has stated that it would have been obvious for one skilled in the art to use the cleaning system taught by Poindexter in the product dispenser taught by Lindner to obtain the claimed product dispenser. However, to achieve Applicant's invention, Poindexter's spray nozzle must be placed into the drip tray of Lindner's product dispenser. As previously presented in the arguments for claim 1, Poindexter teaches placing his spray nozzle above his cooling coils to spray sanitizing fluid onto his cooling coils. While movement of Poindexter's spray nozzle into the drip tray does provide sanitizing fluid to the drip tray, it does not allow Poindexter to sanitize his cooling coils with sanitizing fluid. Unsanitized cooling coils will lead to contamination of the outer surfaces of the cooling coils, the condensate dripping from the cooling coils, Poindexter's drip tray, and the hood enclosure, thereby rendering Poindexter's device inoperable for its intended purpose. As such, Poindexter actually teaches away from placing his spray nozzle into the drip tray. Applicant respectfully asserts that the Examiner's combination of Poindexter and Lindner is improper because the only motivation for placing Poindexter's spray nozzle into Lindner's drip tray is to achieve Applicant's invention, and therefore is a hindsight reconstruction. Accordingly, Applicant respectfully asserts that claim 15 is patentable over Poindexter, and respectfully requests that the rejection of claim 15 under 35 U.S.C. §103(a) be withdrawn.

Claim 16 has been rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter in combination with Lindner. Applicant's claim 16 has been amended to incorporate the recitation of a controller in electrical communication with the pump of claim 1. Applicant further asserts that the patentability of claim 16 lies with the patentability of claim 15.

Claim 17 has been rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter in combination with Lindner. Applicant's claim 17 has been amended to incorporate the recitation

of a valve in electrical communication with the pump of claim 15. Applicant further asserts that the patentability of claim 17 lies with the patentability of claim 15.

Claim 18 has been rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter in combination with Lindner. Applicant's claim 18 has been amended to incorporate the recitation of a controller in electrical communication with the valve of claim 15. Applicant further asserts that the patentability of claim 18 lies with the patentability of claim 17.

Claim 21 has been rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter in combination with Lindner. Applicant's claim 21 has been amended to adjust the dependency of the claim. Claim 21 now depends from claim 17. Applicant further asserts that the patentability of claim 21 lies with the patentability of claim 17.

Claim 23 has been rejected under 35 U.S.C. §103(a) as being anticipated by Poindexter in combination with Lindner. Applicant's claim 23 has been amended to adjust the dependency of the claim. Claim 23 now depends from claim 16. Applicant further asserts that the patentability of claim 23 lies with the patentability of claim 16.

The prior art made of record has been reviewed by Applicant and is deemed not to anticipate nor render obvious the claimed invention.

In view of the foregoing, Applicant respectfully requests reconsideration of the rejected claims, and solicits early allowance of the subject application.

Respectfully submitted,

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DATE: 4 January 2007

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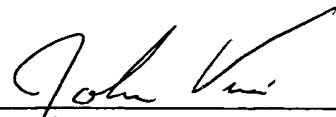
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